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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ZHOU, TING

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 09/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/747,065

Applicant(s)

HACHIGIAN ET AL.

Examiner

Ting Zhou

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-- **Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --**
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract is objected to because the use of "said manual" on line 16 and "said customized interactive training sequence" on line 21 is inappropriate. The use of legal phraseology of the claims should be avoided in the abstract.
3. The disclosure is objected to because of the following informalities: The phrase "...as long the function of..." on line 3 of page 5 is grammatically incorrect. The correct phrase to use would be "...as long as the function of...". Appropriate correction is required.

Claim Objections

4. Claim 2 is objected to because of the following informalities: the use of the word "product" is incorrect. The correct spelling of the word would be -product-. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1 and 3-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Cook et al. U.S. Patent 6,427,063.

Referring to claims 1, 5 and 6, Cook et al. teach an agent based instruction system and method. In column 11, lines 9-32, they disclose customized, interactive instruction of students through the use of computer-assisted training sequences. As can be seen from the reference, both the teacher and the students have the ability to interact and customize the materials presented. The student can customize the sequence of materials presented to them (column 11, lines 9-10) and the teacher can customize the materials presented by adding or altering existing

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information (column 11, lines 27-31). The training sequence taught in the reference comprises questions for gathering information from the students (column 11, lines 9-17), login identification (passwords) to allow user access to the system (column 24, lines 21-29), a training module (virtual tutor) for providing customized training for users (column 4, lines 41-46) and the ability to implement the customized training sequence as digital files designated by a Uniform Resource Locator (HTTP protocol on the World Wide Web) (column 6, lines 17-23 and column 21, lines 29-34).

Referring to claims 3 and 7, Cook et al. disclose the ability of the training module to save the progress of the customized training sequence linked to a login identification. They do this by teaching the updating of the training module to reflect the progress (for example, the use of a certain tool or task) of a particular user (column 11, lines 32-37 and column 12, lines 46-56).

Referring to claims 4 and 8, Cook et al. teach in column 6, lines 29-32, the system and method's ability to manage and control the training materials presented to the student according to the usage characteristics of that particular student. Since the reference disclosed the ability to record and store a student's progress (column 1, line 60) and the ability to keep track of the relative position of the student in the lesson, the system is able to retrieve the training sequence according to the last saved position of the sequence.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 9-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. U.S. Patent 6,427,063 and Perkowski U.S. Patent 5,950,173.

Referring to claim 2, Cook et al. disclosed all the limitations as applied to claim 1 above. Cook et al. further disclose the system as a web based online instructional system (column 6, lines 17-23). However, they do not teach a product service manual. Perkowski teaches an online instructional system similar to that of Cook et al. In addition, he further teaches delivering product service information to customers and manufacturers via the web (column 4, lines 57-64). It would have been obvious to one of ordinary skill in the art, having the teachings of Cook et al. and Perkowski before him at the time the invention was made, to modify the web based online instructional system taught by Cook et al. to include the product service manual of Perkowski. One would have been motivated to make such a combination to provide users with a manual of the functionalities of and ways to use products through the Internet.

Referring to claims 9, 26 and 27, Perkowski discloses in column 4, lines 57-64, an interactive system for providing a product service manual (product related information). He teaches means for displaying the documents (consumer selected product information) in a user understandable manner by linking the product's Universal Product Number with the URL of the information related to the product and displaying that information to the user (column 5, lines 53-61). Perkowski further teaches the playing of an interactive animated simulation (virtual sales agents) interacting with the user (column 7, lines 34-38). However, Perkowski does not

teach a customization module and training module for providing a customized interactive training sequence to the user. Cook et al. teach an instruction system and method similar to that of Perkowski. In addition, they further teach a customization and training module, as applied to claim 1 above. It would have been obvious to one of ordinary skill in the art, having the teachings of Perkowski and Cook et al. before him at the time the invention was made, to modify the interactive product service manual of Perkowski to include the customization and training module of Cook et al. One would have been motivated to make such a combination in order to obtain an interactive system that is capable of not only displaying the user-selected product information, but also teaching the user how to use that particular product.

Referring to claim 10, Perkowski teaches, in column 5, lines 11-13, storing the product related information in digital files (product information database). He further teaches the use of Uniform Resource Locators, linked to product information (column 5, lines 1-9).

Referring to claim 11, in addition to teaching the limitations as applied to claim 9 above, Perkowski also teaches the display of several introductory documents for the service manual, as can be seen in Figures 3B and 3C. These two figures show examples of introductory pages that give the users an overview and summary of the data and tools available to them in the system. Furthermore, he also teaches the ability to display contact information (E-mail address for example) relating to the service manual, as can be seen in Figure 4A1, and the display of a hyperlink index (URL stored in the Internet product directory), as disclosed in column 8, lines 33-40. However, Perkowski does not teach a feedback and practice module. The system taught by Cook et al. allows users to send feedback/comments to the virtual agent. For example, the user can ask the system questions about their progress and what they should do next (column 12,

lines 66-67 and continuing onto column 13, lines 1-3). This type of feedback interaction can further be seen in column 11, lines 6-9. In addition, Cook et al. also teach the display of practice tests to the user (column 9, lines 30-33). It would have been obvious to one of ordinary skill in the art, having the teachings of Perkowski and Cook et al. before him at the time the invention was made, to modify the web based product service manual taught by Perkowski to include the feedback and practice module of Cook et al. It would have been advantageous for one to utilize such a combination in order to obtain a complete instructional system that will guide the users through its capabilities, allow the users to find pertinent information and get feedback, and provide practice exams to test the users' comprehension of the materials presented.

Referring to claim 12, in column 5, line 24, Perkowski discloses the interactive product service manual as being a web-based product.

Referring to claim 13, Perkowski shows the system as an interactive one that is based on user response (Figure 3B). As can be seen from the figure, whether the product information is viewed, edited or deleted is completely relied upon the user's selection. Therefore, it is obvious to one of ordinary skill in the art that the interaction sequence requires user response before the next one is played.

Referring to claim 14, Cook et al. show, in Figure 3, a customized training sequence that is dependent on user response. As can be seen from the figure, the user's training sequence contains HW2 and HW3, where each set does not start until the user selects it.

Referring to claims 15 and 16, Perkowski teaches the interaction system as including a data-synchronized table of contents (Internet Product Directory) for the information contained in the database (column 8, lines 33-35).

Referring to claim 17, Cook et al. teach the customization module requiring each user to select a unique login identification (column 24, lines 21-29) and to respond to a set of questions (column 11, lines 14-17), as applied to claim 1 above.

Referring to claims 18, 19 and 22, as applied to claim 1 above, Cook et al. teach the linking of the user's login identification with his or her training sequence (column 24, lines 21-19) and displaying a training sequence in correspondence with the user's response to a set of questions (column 11, lines 13-24).

Referring to claim 20, Perkowski teaches the system saving the Uniform Resource Locators of the information in a database (column 5, lines 10-13). This can further be seen in Figure 4A1.

Referring to claim 21, as applied to claim 3 above, Cook et al. teach the customization module saving the progress of the training sequence in column 11, lines 32-37 and column 12, lines 46-56).

Referring to claim 23, Cook et al. teach the ability to retrieve customized training sequence with the unique login identification and to save the training sequence according to the last saved progress, as applied to claims 18 and 21 above.

Referring to claim 24, Cook et al. disclose the system's ability to provide feedback for the user, as applied to claim 11 above. Since the system disclosed in the reference is a web based instructional system, it would be obvious to one of ordinary skill in the art that the user feedback can be sent over the Internet.

Referring to claim 25, as can be seen in Figure 4 of the Cook et al. reference, the system has the ability to recognize whether the user entered the correct answer for the exam question.

Referring to claim 28, Perkowski teaches a method for providing an interactive product service manual (column 4, lines 57-64) having at least one documentation, contained in the product information database disclosed in column 5, line 24, providing hyperlinks to the product information (column 5, lines 10-14), displaying product information corresponding to user selection (column 5, lines 53-61) and playing at least one interactive animated sequence corresponding to user selection (column 7, lines 34-38). However, he does not teach the customization of the training sequence. Cook et al. teach an instructional method similar to that of Perkowski. In addition, they further teach customizing the training sequence in response to the user's selections (column 4, lines 41-45). It would have been obvious to one of ordinary skill in the art, having the teachings of Perkowski and Cook et al. before him at the time the invention was made, to modify the interactive method of Perkowski to include the customization ability of Cook et al. It would have been advantageous for one to utilize such a combination to obtain an interactive instructional system that is adapted to each user, according to his or her preferences and selections.

9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach electronic books with similar mechanisms for note taking and retrieval.

Conclusion

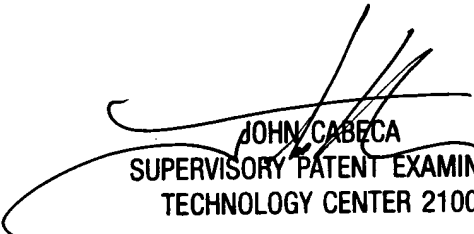
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday-Friday 7:15 am - 3:450 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-8720.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

TZ
September 3, 2003



JOHN CABECA
SUPERVISORY PATENT EXAMINER
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